

**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MONTANA**

In re

**MISTY LEE ROBERTS and JAMES
DARIN CLEMONS,**

Debtor.

Case No. **1:23-bk-10019-BPH**

ORDER

In this Chapter 13 bankruptcy, the Trustee filed an Objection to Proof of Claim on May 4, 2023, at ECF No. 44 (“Objection”) pursuant to 11 U.S.C. § 502(a). The Objection asserts that Proof of Claim No. 16 (“Claim”), filed by LVNV FUNDING LLC (“Creditor”), should be disallowed because the Claim is subject to a statute of limitations defense.

The Trustee attached a “Notice” to the Objection as required by Mont. LBR 9013-1. The Notice explains that the time to respond to the Objection and schedule the matter for a hearing is thirty (30) days. The time to respond has passed. No responses were filed. Having considered the Claim, Objection, and Creditor’s failure to respond after notice,

IT IS ORDERED that the Objection is sustained, and the Claim is disallowed.

Dated June 12, 2023.

BY THE COURT:



Hon. Benjamin P. Hursh
United States Bankruptcy Court
District of Montana